

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: )  
) Examiner: Mai, Huy K.  
)  
5 ZELMAN, GARY MARTIN )  
) Art Unit: 2873  
)  
Serial Number: 10/763,967 )  
)  
Filed: 01/22/04 )  
) Att. Docket No.: R04-09-4078  
10 Title: Auxiliary Eyewear )  
Attachment Methods and )  
Apparatus )

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**IDENTIFICATION OF CLAIMS FOR NOTICE OF APPEAL**

Mail Stop AF  
Commissioner for Patents  
20 P.O. BOX 1450  
Alexandria, VA 22313-1450

Sir/Madam:

Responsive to the Office Action of August 31, 2005, which  
finally rejected the Applicant's claims, the Applicant is  
25 presenting a Notice of Appeal and this statement identifying the  
claims for appeal.

Claims 15-28 have been rejected on at least four occasions,  
having received a final office action rejection on August 31,  
2005, a non-final rejection on April 26, 2005, and a final and  
30 non-final rejections prior to Applicant's Request for  
Continued Examination on January 26, 2005. The claims for which  
Applicant seeks appeal are claims 15-28, which are presented  
here as follows:

Claims 1-14 (canceled).

15. Apparatus for attaching auxiliary eyeglasses to conventional eyeglasses comprising: a single appendage formed on  
5 each of two sides of said auxiliary eyeglasses, each said appendage containing magnetic material; said magnetic material capable of fitting solely below and mating with magnetic material on said conventional eyeglasses, whereby said auxiliary eyeglasses are capable of being removably secured to  
10 conventional eyeglasses such that said auxiliary eyeglasses are aligned with said conventional eyeglasses.

16. Apparatus according to claim 15 including appendages on said conventional eyeglasses; said magnetic material on said  
15 auxiliary eyeglasses mounted on said appendages.

17. Apparatus according to claim 16 including temple extensions on said conventional eyeglasses; said magnetic material on said conventional eyeglasses being on said temple  
20 extensions.

18. Apparatus according to claim 17 including sockets on said appendages; said magnetic material being mounted in said sockets on said appendages.

19. Apparatus according to claim 18 including sockets on said temple extensions; said magnetic material being mounted in said sockets on said temple extensions.

5        20. Apparatus according to claim 19 in which said sockets on said appendages are cylindrical sockets.

21. (previously presented) Apparatus according to claim 20 in which said sockets on said temple extensions are  
10 cylindrical sockets.

22. (Apparatus according to claim 21 in which said magnetic material on said appendages is a magnet mounted in each cylindrical socket.

15        23. Apparatus according to claim 22 in which said magnetic material mounted on said temple extensions is a magnet mounted in each cylindrical socket.

20        24. Apparatus for attaching auxiliary eyeglasses to conventional eyeglasses comprising: temple extensions on said conventional eyeglasses having a first mating surface; a single appendage on each of two sides of said auxiliary eyeglasses, each appendage having a second mating surface; and, said second

mating surface capable of being secured solely below said first mating surface by magnetic material whereby said auxiliary eyeglasses are capable of being removably secured to said conventional eyeglasses such that said auxiliary eyeglasses are  
5 aligned with said conventional eyeglasses.

25. Apparatus for attaching auxiliary eyeglasses to conventional eyeglasses comprising: temple extensions on said conventional eyeglasses having first mating surfaces; appendages  
10 on said auxiliary eyeglasses, all said appendages having second mating surfaces; said second mating surfaces capable of being mounted solely below said first mating surfaces by magnetic attraction whereby said auxiliary eyeglasses are capable of being removably secured to said conventional eyeglasses.

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26. A method of attaching auxiliary eyeglasses to conventional eyeglasses comprising: providing a single appendage on each of two sides of said auxiliary eyeglasses, each appendage having magnetic material that is capable of fitting  
20 solely below and mating with magnetic material on said conventional eyeglasses; whereby said auxiliary eyeglasses are capable of being removably secured to said conventional eyeglasses.

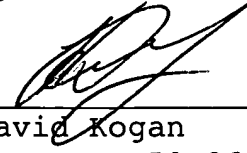
27. Apparatus for attaching auxiliary eyeglasses to conventional eyeglasses comprising: temple extensions on said conventional eyeglasses having first sockets; a single appendage on each of two sides of said auxiliary eyeglasses, each of said  
5 appendages having second sockets; magnetic material on either said conventional eyeglasses or said auxiliary eyeglasses capable of mounting said second socket solely below said first socket whereby said auxiliary eyeglasses are capable of being removably secured to said conventional eyeglasses such that said  
10 auxiliary eyeglasses are aligned with said conventional eyeglasses.

28. Apparatus for attaching auxiliary eyeglasses to conventional eyeglasses comprising: temple extensions on said  
15 conventional eyeglasses having first sockets; a single appendage on each of two sides of said auxiliary eyeglasses, each of said appendages having second sockets; said second sockets capable of being mounted solely below said first socket by magnetic attraction of magnetic material on at least one of said  
20 conventional eyeglasses or auxiliary eyeglasses whereby said auxiliary eyeglasses are capable of being removably secured to said conventional eyeglasses such that said auxiliary eyeglasses are aligned with said conventional eyeglasses.

Respectfully submitted,

Trojan Law Offices

By:



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David Kogan

Reg. No. 50,868

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Date: September 12, 2005

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